

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUZANNE HAMILTON, TAMMY O'REILLY, :
and MORRIS CARR Individually and on Behalf: :
of All Other Persons Similarly Situated, : :

Plaintiffs, :

Case No.: 06 CV 706
(SCR)

-against- :

UNLIMITED CARE, INC. :

Defendant. :

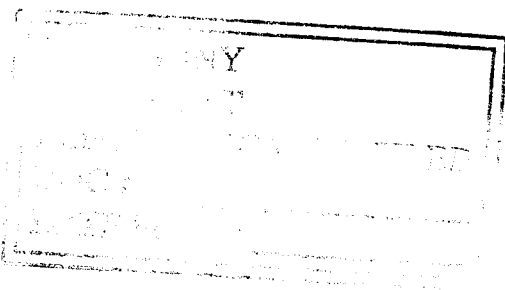
STIPULATION ACCEPTING SERVICE OF PROCESS,

TOLLING LIMITATION PERIOD AND SCHEDULING INITIAL DISCOVERY

Plaintiffs, Suzanne Hamilton, Tammy O'Reilly and Morris Carr,
Individually and on Behalf of All other persons similarly situated, and
Defendant, Unlimited Care, Inc., by and through their undersigned counsel,
who are duly authorized to enter into this STIPULATION, hereby agree as
follows:

1. The time within which Defendant can serve its
Answer or other pleading responsive to the Complaint is extended to March
31, 2006.

2. Defendant accepts service of process of the
Complaint and will not seek dismissal of this action because of, or plead the



affirmative defenses of, lack of personal jurisdiction or failure to effect proper service of process.

3. From the date of execution of this STIPULATION to and until the date that Defendant serves its Answer or other pleading responsive to the Complaint, Defendant agrees that the statute of limitation applicable under the Fair Labor Standards Act is tolled as to non-exempt employees paid on an hourly basis performing duties as a home health care aide (regardless of how such position or positions may be referred to or titled). When Defendant serves its Answer or other pleading responsive to the Complaint, the tolling period will cease and the statute of limitation no longer will be tolled.

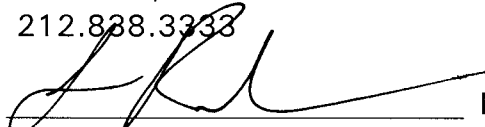
4. The parties will notify the Court of this STIPULATION and duly will file said STIPULATION with the Court.

5. From the date of execution hereof and for so long as the statute of limitation may be tolled, neither Plaintiffs nor their counsel, nor anyone acting in behalf of or at the request of Plaintiffs or their counsel, will act to or authorize or enable any person to (a) publicize the existence, nature of or content of this lawsuit; (b) solicit any incumbent or former employee of Defendant to join or seek to join this lawsuit or in any other proceeding; (c) to solicit any incumbent or former employee of Defendant to file or to join in any other lawsuit or proceeding against Defendant alleging claims relating to or setting forth allegations of unpaid overtime, unpaid

wages (spread of hours or otherwise) or other compensation; (d) create or post information about the existence, nature or content of this lawsuit on any website, portal "chat board", or other media site or sources; or (e) to commence any other action against Defendant.

LOCKS LAW FIRM, PLLC
Attorneys for Plaintiff
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New York, New York 10022
212.838.3333

By:



Fran L. Rudich (FR 7577)
Seth R. Lesser (SL 5560)

Dated: February 15, 2006

JONATHAN P. ARFA, P.C.
Attorney for Defendant
4 Gannett Drive -Suite 150
White Plains, New York 10604
212.694.1000

By:

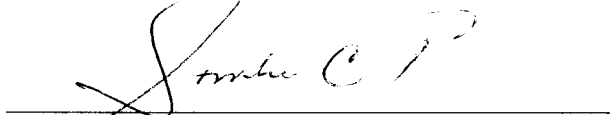


Jonathan P. Arfa (JA 3611)

Dated: 2/22/06

SO ORDERED:

This 28th day of February, 2006



Hon. Stephen C. Robinson, U.S.D.J.